

## COURT PROCEDURES

When your name is called, you will approach the Judge's Bench. The charge (violation) will be read to you and you will be asked what your plea is. You may plead **Not Guilty, Guilty, or No Contest**.

If you plead **Not Guilty**, you are in effect denying the truth of the charge. The matter will be set for trial, and the prosecutor will be required to prove every element of the charge beyond a reasonable doubt before a guilty finding may be made. You have the right to a trial by jury, in every criminal case other than a minor misdemeanor, or a trial to the Court. You also have the right to cross-examine the witness or witnesses called against you, the right to subpoena witnesses to appear on your behalf, and the right not to testify, if you so choose.

If you plead **Guilty**, you are admitting guilt. The Court will seek an explanation of the circumstances from the complainant or prosecutor, and also ask you if there is any explanation you wish to make or additional information you wish to offer in mitigation before sentence is imposed. The Court will thereafter impose the penalty it feels is appropriate in the circumstances.

If you plead **No Contest**, you are not admitting guilt, but you are admitting the truth of the facts as alleged in the indictment, information or complaint. The plea of no contest cannot be used against you in any subsequent civil or criminal proceeding. The Court will seek an explanation of the circumstances as they are set forth in the complaint, as they are presented by the prosecution, or as they are presented by the complainant. The Court will also ask you if you have any further explanation of the circumstances or any information you wish to offer in mitigation of punishment. The Court will then make a finding of guilty or not guilty. If the finding is guilty, the Court will impose the penalty it feels is appropriate under the circumstances.

When the Court's judgment is announced, if you are found Not Guilty you will be ordered discharged forthwith. If you are found Guilty, you will be remanded to the custody of the bailiff or other authorized personnel to carry out the Court's penalty.

Cash, money orders, personal checks (if approved by the Court) MasterCard and VISA are accepted for payment of fines and court costs. All fines and costs are due in full at time of sentencing.

Non-citizens of the United States of America are required upon appearance to inform the Court of their legal status.

### **RIGHTS IN COURT**

- The right to be informed of the nature of the charge, the identity of the complainant, and the right to see or read the complaint.
- The right to an attorney and a reasonable continuance to obtain the services of an attorney.
- In certain cases other than minor traffic offenses, if you are unemployed and/or without sufficient assets to hire an attorney, the Court will appoint an attorney for you. In such cases, you must complete an Affidavit of Indigency provided to you by the Court, and the Court will then determine whether to appoint an attorney for you based upon the facts presented in the affidavit.
- The right to plead not guilty, guilty or no contest to the violation for which you have been charged.
- The right to a trial by jury in certain cases or trial to the Court.
- The right to cross-examine any witness who is called to testify against you.
- The right to inform the Court of any fact or circumstance you feels the Court should know.
- The right to testify or not testify in your own defense.
- The right to choose not to appear before a Traffic Magistrate in lieu of an appearance before a judge.

The Bedford Municipal Court is authorized to hear misdemeanor criminal and traffic cases that involve offenses occurring within its geographic jurisdiction, and civil cases within its monetary jurisdiction of \$15,000.00 or less. The Small Claims Division of the Court deals with civil cases in which the amount is \$3,000 or less.

The Bedford Municipal Court has jurisdiction over the following communities: Bedford, Bedford Heights, Bentleyville, Chagrin Falls, Chagrin Falls Township, Glenwillow, Highland Hills, Moreland Hills, North Randall, Oakwood, Orange, Solon, Warrensville Heights and Woodmere. Court hours are Monday through Friday (except holidays) 8:30 a.m. until 4:30 p.m. The Bedford Municipal Court website is [www.bedfordmuni.org](http://www.bedfordmuni.org).